

PUBLIC HEARINGS:

- a) Ordinance (08-13) to approve the sale of approximately a 1.6 acre tract of land located in Abbeville County, a portion of property identified on TMS #121-00-00-008, and also shown on a plat prepared by Michael Neil Garrett (Plat Book 35, page 165) exhibit "A", legal description from (Deed Book 246, page 764) hereto as exhibit "B", to be sold "as is" to Abbeville Plant Facilities, LLC. for \$1.00 and other valuable consideration. Hearing no comment, Chairman Norris closed the public hearing.

- b) Ordinance (08-14) to amend the text of the Zoning Ordinance of Abbeville County regarding Special Events Permits, adopted February 11, 2008. Mr. Jim Irwin of 625 Highway 20, Abbeville requested this ordinance be explained. County Planner Lanny McKay informed all present that this Ordinance came about due to increase interest in one (1) day events. This Ordinance would increase the number of times a one (1) day event can be held from 3 to 5 times per year and clarify some definitions. Hearing no further comment, Chairman Norris closed the public hearing.

**ABBEVILLE COUNTY COUNCIL
REGULAR MEETING
SEPTEMBER 8, 2008
MINUTES**

PRESENT: Chairman Norris, Vice Chairman McClain, Councilman Simpson, Councilman Thomas, Councilman Calhoun, Councilman Davis and Councilman Gunnells.

ABSENT: None

CALL TO ORDER:

Chairman Norris called the meeting to order at 7:38 p.m.

PLEDGE OF ALLEGIANCE:

Chairman Norris led the Pledge of Allegiance.

INVOCATION:

Chairman Norris gave the invocation.

FREEDOM OF INFORMATION ACT:

Chairman Norris stated for the record that the agenda has been posted and notice has been provided to the local news media as required by the Freedom of Information Act.

APPROVAL OF MINUTES:

Councilman Gunnells made a motion to approve the minutes of the August 11, 2008, regular county council meeting. Vice Chairman McClain seconded the motion. The motion carried 6-0-0.

PUBLIC COMMENT (Agenda Items):

Mr. Jim Irwin of 625 Highway 20, Abbeville inquired why on second reading of Ordinance 08-15 the amount had been reduced from one (1) million to \$600,000.00? Amend the budget to include money for Soil/Water Conservation and Clemson. You are taking money away from our children. Listen open your ears.

PRESENTATIONS:

Mr. Steve McDade, Abbeville County Emergency Management Director informed Council about the accomplishments made by Emergency Management. Response time has been reduced, emergency notification system is running, new billing system has started, department has received accreditation from CALEA and won the Barrett Larimore award for the second time.

Councilman Calhoun arrived.

OLD BUSINESS:

- a) Third reading of Ordinance (08-09) to amend the Abbeville County Official Zoning Map for a one (1) acre tract of land located at 4594 Old Calhoun Falls Road and identified by tax map number 130-00-00-042 from General Commercial (GC) to Rural Development District (RDD). Councilman Davis made a motion to approve third reading. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- b) Second reading of Ordinance (08-13) to approve the sale of approximately a 1.6 acre tract of land located in Abbeville County, a portion of property identified on TMS #121-00-00-008, and also shown on a plat prepared by Michael Neil Garrett (Plat Book 35, page 165) exhibit "A", legal description from (Deed Book 246, page 764) hereto as exhibit "B", to be sold "as is" to Abbeville Plant Facilities, LLC. for \$1.00 and other valuable consideration. Vice Chairman McClain made a motion to approve second reading. Councilman Gunnells seconded the motion. The motion carried 7-0-0.
- c) Second reading of Ordinance (08-14) to amend the text of the Zoning Ordinance of Abbeville County regarding Special Events Permits, adopted February 11, 2008. Councilman Simpson made a motion to approve second reading. Councilman Davis seconded the motion. Councilman Thomas requested a change stating that a permit is needed only for family reunions held at public sites. Councilmen Simpson and Davis withdrew their motions. Councilman Thomas made a motion to approve second reading with amendment stated. Councilman Calhoun seconded the motion. The motion carried 7-0-0.

- d) Second reading of Ordinance (08-15) making provision for tax anticipation borrowing by Abbeville County, South Carolina, in the principal amount of not exceeding \$600,000.00 in anticipation of the collection of Ad Valorem Taxes for the fiscal year beginning the first day of July, 2008 and ending the 30th day of June, 2009; to prescribe the terms and conditions of such borrowing and the form of note to be executed evidencing the same; and to make provision for the payment thereof. Councilman Gunnells made a motion to approve second reading. Councilman Calhoun seconded the motion. The motion carried 7-0-0.
- e) Resolution (08-27) authorizing the County Director to sign the Federal Emergency Management Agency Community Partner Memorandum of Agreement. Councilman Thomas made a motion to remove this resolution from the table. Vice Chairman McClain seconded the motion. The motion carried 4-3-0 with Councilmen Gunnells, Simpson and Davis opposed. Vice Chairman McClain made a motion to approve the resolution. Councilman Thomas seconded the motion. Councilman Gunnells voiced strong opposition to this government legislation stating that it would require all citizens in a floodplain to purchase flood insurance. County Director Moulder informed Council that if this Resolution was not approved and there was a flood the County would not receive any federal funding. Vice Chairman McClain and Councilman Thomas withdrew their motions and Vice Chairman McClain made a new motion to table this resolution until a representative from F.E.M.A. could come and answer questions. Councilman Thomas seconded the motion. The motion carried 7-0-0.

NEW BUSINESS:

- a) First Readings: New Policy – All first readings are read into the record by the Chairman, and a vote is not necessary per Ordinance 05-11.
 - 1) Ordinance (08-17) authorizing: (1) the execution and delivery of a special source credit agreement by and between Abbeville County, South Carolina (the “County”) and Project Palmetto (the “Company”); (2) the joint development of an Industrial Park in cooperation with Anderson County, such park to be geographically located in Abbeville and Anderson Counties and to be established pursuant to Section 4-1-170 of the South Carolina Code of Laws 1976, as amended; (3) the execution and delivery of a written agreement with Anderson County to provide for sharing of the expenses of the park and for the distribution of the revenues from the park to the counties and relevant taxing entities within the counties; and (4) other matters related thereto.
 - 2) Ordinance (08-18) to amend the Abbeville County Official Zoning Map for a 0.7 acre tract of land located at the intersection of Highways 71 and 284, and identified by tax map number 090-00-00-038 from Forest Agricultural (FA) to Rural Development District (RDD).
 - 3) Ordinance (08-19) providing for the adoption of Abbeville County Building Codes.

b) Resolutions:

- 1) Resolution (08-37) authorizing the County Director to enter into a contractual relationship with Satterfield Construction Company, Inc. in the amount of \$199,837.50 for road improvements to Beulah Church Road in Abbeville County, South Carolina. Councilman Davis made a motion to approve this resolution. Councilman Gunnells seconded the motion. The motion carried 7-0-0.
- 2) Resolution (08-38) authorizing the County Director to enter into a contractual relationship with Baker's Waste Equipment, Inc. of Morganton, N.C. in the amount of \$21,684.00 for two (2) 40 cu. yard closed top roll-off containers and two (2) 30 cu. yard open top roll-off containers. Vice Chairman McClain made a motion to approve this resolution. Councilman Simpson seconded the motion. The motion carried 7-0-0.

DIRECTOR'S REPORT: None

COMMITTEE REPORTS:

- a) Finance Committee—Ray Gunnells, Claude Thomas and Billy Norris. No report was given.
- b) Personnel and Administration— Jeff Simpson, Bryan McClain and Claude Thomas. No report was given.
- c) Public Works—Mike Davis, Billy Norris and Bryan McClain. No report was given.
- d) Intergovernmental Relations—Bryan McClain, Mike Davis and John Calhoun. Vice Chairman McClain made a recommendation to appoint Ms. Betty Jo Hall to the Library Board. Councilman Davis seconded the recommendation. The recommendation carried 7-0-0.
- e) Planning and Industrial Development—Claude Thomas, Ray Gunnells and John Calhoun. No report was given.
- f) Education, Recreation, Health and Welfare—John Calhoun, Ray Gunnells and Jeff Simpson. No report was given.
- g) Public Safety—Billy Norris, Jeff Simpson and Mike Davis. No report was given.

A motion was made by Councilman Davis to go into Executive Session to discuss a personnel matter and a legal issue on the budget. Councilman Thomas seconded the motion. The motion carried 7-0-0.

EXECUTIVE SESSION:

Chairman Norris reconvened the meeting following executive session and announced that no action was needed following executive session.

PUBLIC COMMENT (Non-Agenda Items): None

ADJOURNMENT:

There being no further items of discussion Vice Chairman McClain made a motion to adjourn. Councilman Thomas seconded the motion. Councilman Simpson requested a discussion on amending the budget to give money to Soil and Water. Vice Chairman McClain seconded the request. Vice Chairman McClain and Councilman Thomas withdrew their previous motion to adjourn. Request failed due to non-vote. Vice Chairman McClain made a motion to adjourn. Councilman Simpson seconded the motion. The motion carried 7-0-0.

The meeting adjourned at 9:53 pm.

Done this 13th day of October, 2008

Abbeville County Council

By: _____
William C. Norris, Chairman

ATTEST:

By: _____
Lynn Sopolosky, Clerk to Council